IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL REVN.APPLN.NO.455 OF 2005

The State of Mah. ..Applicant

Vs.

Santosh C.Parab ..Respondent

...

Mr.K.V.Saste A.P.P. for the State
Mr.R.G.Tahailramani Adv. for Respondent

...

CORAM: SMT.V.K.TAHILRAMANI,J.
DATE : APRIL 17, 2007

P.C.

1. Rule. By consent, rule made returnable forthwith. Heard the learned advocate for the applicant and the learned A.P.P. for the State.

2. In C.R.No. 629 of 2003 of Bandra Police Station pertaining to Sessions Case No.49 of 1990, the original accused no.3 Santosh Parab preferred an application for tender of pardon under Section 306 of Cr.P.C. and for examining him in the Court as prosecution witness. The said application came to be rejected by the learned Sessions Judge by order dated 7.2.2003. Being aggrieved thereby, this revision has been preferred by the State.

3. The learned advocate forthe Respondent-original accused no.3 has submitted that thereafter another application was preferred before the Sessions Court for tender of pardon by accused no.3 and for examining him as prosecution witness wherein reliance was placed on the various decisions of this Court. After cosidering the same, the trial Court allowed the said application by order dated 8.7.2004. In this view of the matter, the present revision has become infructuous and is disposed of as such.

4. Rule discharged.

[Smt. V.K.Tahilramani, J.]